07952341

/d. 10.29.92

3/A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
REQUEST FOR FILING
(RULE 60)
For Design or Utility Applications

MAIL ROOM SEP 28 1992 (stamp)

Rule 60 PATENT APPLICATION:

[ ] Continuation)
) application under 37 CFR 1.60
[X] Divisional)

of pending prior application of

Inventor(s): SHROOT et al

Appln. No. _07_ / _803,965_
 series code †   † serial no.
Filed: December 9, 1991

Title: BENZONAPHTHALENE DERIVATIVES, A PROCESS FOR THEIR PREPARATION...

Group Art Unit:_____121_____

Examiner:____J. Richter_____

Atty Dkt:_____96197 / N767_____
                   New M# /   Client Ref.

(Our Deposit Account No. 03-3975
(Our Order No._____1032 / 96197_____
                 C# /   New M#

Date:_____September 28, 1992_____

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

To effect the above-requested filing today:

1.   **Attached** is a true copy **(which must be filed)** of the prior application as **originally** filed, including:

[x] Abstract
[x] Specification and claims (unamended clean copy) as originally filed (__35__ pages) (must be attached)
[x] Signed declaration or oath as originally filed in prior application (must be attached)
[ ] Drawings (must be attached if originally filed): _____sheet(s)/set: [ ] 1 set informal;
                                                      [ ] Formal of size [ ] A4 [ ] 13" [ ] 14"

NOTE: No amendments (if any) referred to in the Oath/Declaration filed to complete the prior application introduced new matter.

2.   [ ]   This Rule 60 application is hereby filed by **less than all of the inventors** named in the prior application. Petition is hereby made requesting deletion as inventor(s) of the following who is/are **not** inventor(s) of the invention being claimed in this Rule 60 application:

   1._____   2._____
   3._____   4._____

3.   [ ]   Transfer the drawings from the prior application to this application and **abandon** said prior application as of the filing date accorded this application. A **third** copy of this letter is **attached** for filing in the prior application file.

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4. [x] Priority is claimed under 35 U.S.C. 119/365 based on filing in ___Luxembourg_____ of
   (country)

Application No.	Filing Date	Application No.	Filing Date
(1) 85 849	Apr. 11, 1985	(4)	
(2)		(5)	
(3)		(6)	

a. [ ] _____ (No.) Certified copy/copies attached.
b. [x] Certified copy/copies previously filed on ___October 28, 1986_____ in
   U.S. Application No. 06 / 850,150_____, filed on ___April 10, 1986_____.
   series code ↑   ↑ serial no.
c. [ ] Certified copy/copies filed during International stage of PCT/_____/_____.
d. [ ] Priority is also claimed from PCT/_____/_____ filed _____.

5. [x] Prior application is assigned to ___Centre International de Recherches Dermatologiques (C.I.R.D.)_____

by Assignment recorded ___June 23, 1986_____ Reel _4564__ Frame _460_____.
                              (Date)

6. Attached is an Assignment to _____

Please return the recorded Assignment to the undersigned.

7. [x] The power of attorney in the prior application is to ___CUSHMAN, DARBY & CUSHMAN_____

(Name and Reg. No.)
whose current address is as in item 8 below.

a. [x] The power appears in the original papers of the prior application.

b. [ ] Since the power does not appear in the original papers, a copy of the power in the prior application is
       attached.

c. [ ] Recognize as associate attorney _____
       _____.
(Name, Reg. No. and Address)

8. Address all future communications to[Cushman, Darby & Cushman, Ninth Floor, 1100 New York Avenue, N.W.,
   Washington, D.C. 20005-3918.]

9. Amend the specification by inserting before the first line the sentence: This is a   now PAT. 5,183,889
   [ ] continuation [x] division of Application No. 07 / 803,965 , filed Dec. 9, 1991, which is a division of
   Serial No. 07/502,122, filed March 30, 1990, now U.S. Patent 5,098,895, which is a division of Serial No.
   07/120,968, filed Nov. 16, 1987, now U.S. Patent 4,940,696, which is a division of Serial No. 06/850,145, filed
   April 10, 1986, now U.S. Patent 4,717,720.   4,861,229

10. [ ] _____ (No.) Verified Statement(s) establishing "small entity" status under Rules 9 & 27
        [ ] filed in above prior application (and hence applicable hereto)
        [ ] attached.

11. Petition to extend the life of the above prior application to at least the date hereof
(One box) [ ] is being concurrently filed in that prior application (Use Form CDC-111).
(must be) [ ] was previously filed in that prior application (Check length of prior extension).
(X'd)   [x] is not necessary for copendency (**Double check** before X'ing this box).

12. [x] **INFORMATION DISCLOSURE STATEMENT:** Attached is Form PTO-1449 listing all of the documents
        cited by Applicant and the PTO in the parent application(s) relied upon under 35 USC 120 and
        referenced in item 9 above. Per Rule 98(d) copies of those documents are not required now. Please
        consider those documents and advise that they have been considered in this new application as by
        returning a copy of the enclosed Form PTO-1449 with the Examiner's initials in the left column per
        MPEP 609.

13. [ ] Attached is a Rule 103(a) Petition to Suspend Action.

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26.

ADDITIONAL FEE CALCULATION FOR
PRELIMINARY AMENDMENT
PER BOXES 24/25

	Claims remaining after amendment		Highest number previously paid for	Present Extra		Additional Fee
						Large/Small Entity
27. Total Effective Claims	*__2__	minus	**__20__	= __0__	x $20/$10 =	$_____
28. Independent Claims	*__1__	minus	***__3__	= __0__	x $72/$36 =	+_____

29. If amendment enters proper multiple dependent claim(s) into this application for
first time, add (per application) - $220/$110   +_____

30.   ADDITIONAL FEE $_____

31.   plus FEE from item 22 on page 3   +__690.00__

32.   **TOTAL FEE ATTACHED** $__690.00__

33.*If the entry in this space is less than entry in the next space, the "Present Extra" results is "0".

34.**If the "Highest number previously paid for" (see item 16 above) is less than 20, write "20" in this space.

35.***If the "Highest number previously paid for" (see item 17 above) is less than 3, write "3" in this space.

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficient fee only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. **This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.**

CUSHMAN, DARBY & CUSHMAN

1100 New York Avenue, N.W.
Ninth Floor
Washington, D.C. 20005-3918
Tel: (202) 861-3000
Atty/Sec:

By Atty: __Donald B. Deaver__   Reg. No. _23,048__

Sig: _____   Fax: (202) 822-0944
                                      Tel.: (202) 861-3056

NOTE: File this Request in duplicate with 2 postcard receipts (CDC-103) & attachments.

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14. [x] **PRELIMINARY AMENDMENT** to be entered before fee calculation: (Do not make amendments here except for correction of improper multiple dependencies or cancellation of whole claims or multiple dependencies for purpose of reducing the filing fee per MPEP §§ 506 and 607; do not cancel all claims)..

Cancel Claims 2-24 without prejudice.

FILING FEE
THE FOLLOWING FILING FEE IS BASED ON
->->->-><u>CLAIMS AS FILED AND CHANGED BY PRELIMINARY AMENDMENT IN ITEM 14</u><-<-<-<-

see box 10 re: <u>Large/Small Entity</u>

15. Basic filing fee - <u>Design</u> Appln. ($280/$140) $_____

16. Basic filing fee - <u>Not</u> Design Appln. ($690/$345) $__690.00__

17. Total Effective Claims ___1___ minus   20 =   *__0__   x $20/$10   = +_____

18. Independent Claims   ___1___minus   3 =   *__0__   x $72/$36   = +_____

*If answer is zero or less, enter "0"

19. If <u>any</u> proper (ignore improper) multiple dependent claim remains, add - - - - - - - - - $220/$110   +_____

20.- Subtotal $__690.00__

21. If "petition" box 13 above is X'd,- add petition fee ($130.00)   +_____

22.   **TOTAL FILING FEE ATTACHED** $__690.00__

23. [ ] ATTACHED:

24. [X] Preliminary Amendment <u>attached</u> (to be entered <u>after</u> assigning Appln. No.)

25. [ ] The following PRELIMINARY AMENDMENT is to be entered <u>after</u> assigning Appln. No.:

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